

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 7, 2017

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JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 7, 2017

The Senate met in regular session at 9:00 a.m., President Whitver presiding.

Prayer was offered by Reverend Kent McKusick, pastor of the United Universalist Fellowship in Ames, Iowa. He was the guest of Senator Quirmbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Wylie Halferty.

The Journal of Monday, February 6, 2017, was approved.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MISTER PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 2017, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 166](#), a bill for an act relating to the state school foundation program, by modifying requirements for the enactment of the state percents of growth, establishing state percents of growth, modifying provisions relating to school district property tax replacement payments, and including effective date and applicability provisions.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:05 a.m. until 9:00 a.m., Wednesday, February 8, 2017.

APPENDIX

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF PHARMACY

Iowa Prescription Monitoring Program Report, pursuant to Iowa Code section 124.554. Report received on February 7, 2017.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Janna and Terry Kaufman, Maquoketa—For celebrating their 50th wedding anniversary. Senator Bowman.

Betty and David Schroeder, Bellevue—For celebrating their 50th wedding anniversary. Senator Bowman.

Doris and Darrell West, Onslow—For celebrating their 60th wedding anniversary. Senator Bowman.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Tuesday, February 7, 2017, 1:05 p.m.

Members Present: Zumbach, Chair; Brown, Vice Chair; Kinney, Ranking Member; Bowman, Costello, Edler, Hart, Kapucian, Ragan, Rozenboom, Segebart, Shipley, and Taylor.

Members Absent: None.

Committee Business: Joint meeting presentation with the committee on Natural Resources and Environment.

Adjourned: 2:05 p.m.

JUDICIARY

Convened: Tuesday, February 7, 2017, 2:10 p.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Taylor, Ranking Member; Boulton, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair.

Members Absent: Bisignano (excused).

Committee Business: Approved [SF 3](#), as amended; and approved [SF 87](#).

Adjourned: 2:20 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Tuesday, February 7, 2017, 1:05 p.m.

Members Present: Rozenboom, Chair; Shipley, Vice Chair; Dvorsky, Ranking Member; Anderson, Behn, Bertrand, Breitbach, Brown, Hart, D. Johnson, Kapucian, Kinney, and Lykam.

Members Absent: None.

Committee Business: Presentation from Agriculture Secretary Bill Northey, DNR Director Chuck Gipp, and John Lawrence from ISU.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, February 7, 2017, 9:10 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Hogg, Ranking Member; Behn, Dvorsky, Feenstra, Jochum, Ragan, Schneider, and Sinclair.

Members Absent: Smith (excused).

Committee Business: Passed [SSB 1024](#). Gubernatorial interim appointments.

Adjourned: 9:15 a.m.

AGRICULTURE AND NATURAL RESOURCES APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 7, 2017, 10:05 a.m.

Members Present: Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; Kinney, and Rozenboom.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:45 a.m.

HEALTH AND HUMAN SERVICES APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 7, 2017, 10:10 a.m.

Members Present: Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolkcom, and Edler.

Members Absent: None.

Committee Business: Presentation by the Department of Aging and the Office of the State Long-Term Care Ombudsman.

Adjourned: 11:00 a.m.

JUSTICE SYSTEM APPROPRIATIONS SUBCOMMITTEE

Convened: Tuesday, February 7, 2017, 10:05 a.m.

Members Present: Chelgren, Chair; Dawson, Vice Chair; Dvorsky, Ranking Member; and Garrett.

Members Absent: Boulton (excused).

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 5](#), by Bolkcom and Kinney, a joint resolution requesting the call of a constitutional convention in order to propose an amendment to the Constitution of the United States to allow Congress and the states to prohibit or otherwise regulate the expenditure of funds for political speech by any corporation, limited liability company, or other corporate entity.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate Resolution 7](#), by committee on Human Resources, a resolution requesting the legislative council to establish an interim committee to study the creation of a facility to care for geriatric persons who are registered on the sex offender registry or who are sexually aggressive.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

[Senate File 210](#), by Zumbach, a bill for an act barring claims against county or district fairs for damages arising out of the transmission of pathogens from certain animals housed on the fairgrounds.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 211](#), by Zumbach, a bill for an act prohibiting the department of transportation and local authorities from requiring permits for the operation of motor vehicles transporting an implement of husbandry between fields, locations for repair, or locations for storage.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 212](#), by Breitbach, a bill for an act concerning payment of insurance premium costs by members and full-time employees of the general assembly and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 213](#), by Schultz, a bill for an act relating to employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, making penalties applicable, and including effective date, applicability, and transition provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 214](#), by Ragan, a bill for an act relating to a coordinated health care workforce recruitment and retention effort.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 215](#), by Bolkcom, Taylor, and McCoy, a bill for an act creating the Iowa end-of-life options Act and providing penalties.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 216](#), by Bolkcom, a bill for an act relating to delayed deposit services by limiting the annual percentage rate for fees and requiring a delayed deposit repayment option in certain circumstances and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 217](#), by Dotzler, a bill for an act providing for contingent appropriations to, and allocations from, the enhance Iowa fund.

Read first time under Rule 28 and referred to committee on **Appropriations**.

STUDY BILLS RECEIVED

[SSB 1062](#) **Ways and Means**

Exempting from the state individual income tax the earnings from a burial trust fund, and including retroactive applicability provisions.

[SSB 1063](#) **Local Government**

Exempting co-owners of motor vehicles of deceased persons from fees related to the issuance of certificates of title.

SSB 1064 Commerce

Relating to the licensure of flexible credit lenders, and making civil penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**Senate File 168**

STATE GOVERNMENT: Smith, Chair; Danielson and Dawson

Senate File 175

EDUCATION: Sinclair, Chair; Bowman and Kraayenbrink

Senate File 178

COMMERCE: Breitbach, Chair; Allen and Bertrand

Senate File 191

WAYS AND MEANS: Feenstra, Chair; Anderson and Jochum

Senate File 195

APPROPRIATIONS: Schneider, Chair; Danielson and Kraayenbrink

Senate File 199

WAYS AND MEANS: Feenstra, Chair; Dotzler and Schultz

Senate File 200

WAYS AND MEANS: Feenstra, Chair; McCoy and Smith

Senate File 201

COMMERCE: Breitbach, Chair; Bertrand and Mathis

Senate File 202

COMMERCE: Feenstra, Chair; C. Johnson and Lykam

Senate File 204

EDUCATION: Behn, Chair; Chelgren and Dvorsky

Senate File 212

COMMERCE: Breitbach, Chair; C. Johnson and McCoy

[Senate File 213](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Boulton and Chapman

[SSB 1062](#)

WAYS AND MEANS: Breitbach, Chair; Brown and McCoy

[SSB 1063](#)

LOCAL GOVERNMENT: Lofgren, Chair; Guth and Quirmbach

[SSB 1064](#)

COMMERCE: Anderson, Chair; Boulton and Breitbach

FINAL COMMITTEE REPORT OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE RESOLUTION 7 \(SSB 1030\)](#), by committee on Human Resources, a resolution requesting the legislative council to establish an interim committee to study the creation of a facility to care for geriatric persons who are registered on the sex offender registry or who are sexually aggressive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Segebart, Costello, Mathis, Bolkcom, Chapman, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

AGING, DIRECTOR OF THE DEPARTMENT ON (Sec. 231.22)

Linda Miller, Bettendorf

12/16/2016 – Pleasure of the Governor

ECONOMIC DEVELOPMENT AUTHORITY (Sec. 15.105)

Dr. Nicholas Chilcoat, Clive

10/17/2016 – 04/30/2017

Bruce Lehrman, Cedar Rapids

10/17/2016 – 04/30/2018

EDUCATIONAL EXAMINERS, EXECUTIVE DIRECTOR OF THE BOARD OF (Sec. 272.5)
 Dr. Ann Lebo, Grundy Center 07/01/2016 – Pleasure of the Governor

EDUCATIONAL EXAMINERS, BOARD OF (Sec. 272.3)
 Katherine Schmidt, Norwalk 07/01/2016 – 04/30/2019

ELECTRICAL EXAMINING BOARD (Sec. 103.2)
 Kathleen Stoppelmoor, Cedar Rapids 08/26/2016 – 04/30/2019

ENHANCE IOWA BOARD (Sec. 15F)
 Jacob Anderson, Van Meter 08/29/2016 – 04/30/2018
 Eric Bookmeyer, Mason City 08/29/2016 – 04/30/2018
 Michael Broshar, Buckingham 08/29/2016 – 04/30/2017
 Emily Damman, Indianola 08/29/2016 – 04/30/2018
 Lisa Hein, Ames 08/29/2016 – 04/30/2017
 Mark Kapfer, Bettendorf 08/29/2016 – 04/30/2018
 Stefanie Kohn, Cedar Rapids 08/29/2016 – 04/30/2017
 Derek Lumsden, Osceola 08/29/2016 – 04/30/2017
 Kate McGann, Malvern 08/29/2016 – 04/30/2017
 Tammy Robinson, New Hampton 08/29/2016 – 04/30/2018
 Charese Yanney, Sioux City 08/29/2016 – 04/30/2018

HEALTH FACILITIES COUNCIL (Sec. 135.62)
 Brenda Perrin, Cherokee 09/15/2016 – 04/30/2017

HEALTHY AND WELL KIDS IN IOWA (HAWK-I) BOARD (Sec. 514I.5)
 Dr. Jonathan Crosbie, Des Moines 09/15/2016 – 04/30/2018

INSURANCE, COMMISSIONER OF (Sec. 505.2)
 Doug Ommen, Ankeny 01/30/2017 – 04/30/2017

MEDICINE, BOARD OF (Sec. 147.14(1)(b))
 Dr. Nicole Gilg Gachiani, Des Moines 05/01/2016 – 04/30/2019

PROPERTY ASSESSMENT APPEAL BOARD (Sec. 421.1A)
 Camille Valley, Johnston 08/26/2016 – 04/30/2019

PUBLIC INFORMATION BOARD, IOWA (Sec. 23.3)
 E. J. Giovannetti, Urbandale 01/13/2017 – 04/30/2018
 Keith Luchtel, Clive 06/06/2016 – 04/30/2018
 Andy McKean, Anamosa 07/01/2016 – 04/30/2020
 Frederick (Rick) Morain, Jefferson 01/13/2017 – 04/30/2018
 William Peard, Waukee 07/01/2016 – 04/30/2020
 Julie Pottorff, Des Moines 01/13/2017 – 01/13/2020
 Renee Twedt, Story City 09/15/2016 – 04/30/2020
 Mary Unga-Sogaard, Dyersville 09/15/2016 – 04/30/2020

REGENTS, STATE BOARD OF (Sec. 262.1)

Dr. Michael Richards, West Des Moines

05/06/2016 – 04/30/2021

VETERANS AFFAIRS, COMMISSION OF (Sec. 35A.2)

Mary Van Horn, Des Moines

12/19/2016 – 04/30/2020

The appointments were referred to the committee on **Rules and Administration**.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on February 7, 2017:

APPROPRIATIONS

Jacob Anderson – Enhance Iowa Board
Eric Bookmeyer – Enhance Iowa Board
Michael Broshar – Enhance Iowa Board
Emily Damman – Enhance Iowa Board
Lisa Hein – Enhance Iowa Board
Mark Kapfer – Enhance Iowa Board
Stefanie Kohn – Enhance Iowa Board
Derek Lumsden – Enhance Iowa Board
Kate McGann – Enhance Iowa Board
Tammy Robinson – Enhance Iowa Board
Charese Yanney – Enhance Iowa Board

COMMERCE

Doug Ommen – Commissioner of Insurance

EDUCATION

Dr. Ann Lebo – Executive Director of the Board of Educational Examiners

Katherine Schmidt – Board of Educational Examiners

Dr. Michael Richards – State Board of Regents

HUMAN RESOURCES

Linda Miller – Director of the Department on Aging

Brenda Perrin – Health Facilities Council

Dr. Jonathan Crosbie – Healthy and Well Kids in Iowa (HAWK-I) Board

LOCAL GOVERNMENT

Camille Valley – Property Assessment Appeal Board

STATE GOVERNMENT

Kathleen Stoppelmoor – Electrical Examining Board

Dr. Nicole Gilg Gachiani – Board of Medicine

E. J. Giovannetti – Iowa Public Information Board

Keith Luchtel – Iowa Public Information Board

Frederick (Rick) Morain – Iowa Public Information Board

William Peard – Iowa Public Information Board

Julie Pottorff – Iowa Public Information Board

Renee Twedt – Iowa Public Information Board

Mary Unga-Sogaard – Iowa Public Information Board

VETERANS AFFAIRS

Mary Van Horn – Commission of Veterans Affairs

WAYS AND MEANS

Dr. Nicholas Chilcoat – Economic Development Authority

Bruce Lehrman – Economic Development Authority

**WITHDRAWAL OF
GOVERNOR'S APPOINTEE**

The following letter from the Governor was received in the office of the Secretary of the Senate on January 20, 2017:

I am withdrawing the name of Andy McKean to serve as a member of the Iowa Public Information Board from further consideration by the Senate.

Sincerely,
TERRY E. BRANSTAD
Governor